



# COMMONWEALTH of VIRGINIA

## DEPARTMENT OF ENVIRONMENTAL QUALITY

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Secretary of Natural Resources

David K. Paylor  
Director

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April 19, 2010

Mr. Jon Capacasa  
Director, Water Protection Division  
USEPA REGION 3 – 3WP00  
1650 Arch Street  
Philadelphia, PA 19103-2029

RE: Phased Benthic Total Maximum Daily Load for the NF and SF Pound River

Dear Mr. Capacasa:

The purpose of this letter is to submit for your approval the phased benthic TMDL addressing violations of Virginia's water quality standards in the NF and SF Pound River, located in Wise County, Virginia. The two Pound segments are Consent Decree segments and Phillips Creek is a Non-Consent Decree segment.

This TMDL effort is a joint effort between DMME and DEQ which was lead by DMME since they have permitting authority for coal mining operations. This TMDL has received intense review by the public and is submitted as phased to allow more time to collect additional data to support final TMDL development within two years.

Included are one copy of the document, one CD containing all digital files, attached listing history, and one CD containing public comments and responses.

We trust that you will find this submittal satisfactory and look forward to receiving your approval. If you or your staffs have questions or need additional information, please contact George Joey O'Quinn, DMME, at 276-523-8204

Sincerely,

*for Ellen Gilinsky*  
Ellen Gilinsky, Ph.D.  
Director, Water Division

### Attachments

cc: Gregory Voigt, EPA  
Charles Lunsford, VADCR  
File: CO, SWRO, DMME

305(b)/303(d) Listing History  
Pound River and NF Pound River Watersheds - Benthic TMDL

Name	Impairment	1998 303(d) ID	2002 303(d) ID	2004 303(d) ID	2006 303(d) ID	2008 303(d) ID	305(b) ID
South Fork Pound River	Benthic	*VAS-Q13R	VAS-Q13R	VAS-Q13R-01	00398	Q13R-01-BEN	VAS-Q13R_PNS01A02, VAS-Q13R_PNS01A94, VAS-Q13R_PNS02B04
North Fork Pound River	Benthic	*VAS-Q13R	VAS-Q13R	VAS-Q13R-02	00397	Q13R-02-BEN	VAS-Q13R_PNK01A96
Phillips Creek	Benthic	n/a	VAS-Q13R	VAS-Q13R-01	01432	Q13R-01-BEN	VAS-Q13R_PNS02A02

\*Consent Decree ID